

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

BILLY RAY DAVIS,

Petitioner,

v.

Civil Action No. 5:08cv4  
(Judge Stamp)

WAYNE PHILLIPS,

Respondent.

**ORDER**

This case is before the undersigned on the petitioners' Application for Leave to Proceed Without Prepayment of Fees. A review of the file shows that the petitioner paid the required filing fee on January 18, 2008. Accordingly, his application to proceed as a pauper (Doc. 4) is **DENIED AS MOOT.**

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the *pro se* petitioner.

DATED: January 29, 2008.

*John S. Kaull*

JOHN S. KAULL  
UNITED STATES MAGISTRATE JUDGE